

## REMARKS

In accordance with the foregoing, the specification and claims 1, 8, 11, 14, 16, 20, 21 and 23 have been amended. Claim 9 has been cancelled without prejudice or disclaimer. Claims 1-8 and 10-28 are now pending and under consideration. No new matter is included in this Amendment.

### **The 35 U.S.C. §102(b) Rejection:**

At page 2 of the Office Action, claims 1-4, 6, 8-11, and 13-28 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,999,509 to Sugiura et al.

### **The 35 U.S.C. §103(a) Rejection:**

At pages 2 and 3 of the Office Action, claims 1-28 are rejected under 35 U.S.C. §103(a) as being unpatentable over admitted prior art (FIG. 1) in view of U.S. Patent 5,999,509 to Sugiura et al.

The rejection of claims 24 through 28 under 35 U.S.C. §102(b) and 35 U.S.C. §103(a) is respectfully traversed. Regarding claim 24, neither Sugiura et al. nor FIG. 1, of the present application nor a combination thereof disclose "finite system objective lens proximate a corresponding optical medium, focusing a divergent light beam from one of the first and second optical path converters on the corresponding optical recording medium," as claimed in claim 24. Although both Sugiura et al. and FIG. 1 of the present application disclose an objective lens, Sugiura et al. do not describe the objective lens as a "finite system objective lens."

Claim 25 is deemed to be patentable at least for similar reasons set forth above regarding claim 24.

Regarding claim 26, Sugiura et al. disclose at col. 6, lines 22-30 that "the wedge shaped beam splitter 21 has its shape defined to transmit converged light without causing aberration, and the parallel plate beam splitter 22 capable of essentially transmitting converged light while producing astigmatism therefor is employed as a means for providing return light with an astigmatism difference for detecting a focus error of a light spot with respect to a recording surface of a disc." Claim 26 recites a plate beam splitter "to correct for aberration," and not to provide astigmatism as disclosed in Sugiura et al. The description of FIG. 1 in the present application makes no mention of that one of the beam splitters 15, or 30 is "to correct aberration."

Claims 27 and 28 are deemed to be patentable at least for similar reasons set forth above regarding claim 24.

Claims 1, 11, 16, and 23 have been amended as set forth above to recite that the objective lens is a "finite system objective lens." Claims 1, 11, 16 and 23 are deemed to be patentable at least for similar reasons set forth above regarding claim 24.

Claim 2 is deemed to be patentable at least for similar reasons set forth above regarding claim 26.

Claims 3 - 8 and 10 are deemed to be patentable at least for similar reasons set forth above regarding claim 1.

Claims 12-15 are deemed to be patentable at least for similar reasons set forth above regarding claim 11.

Claim 17 is deemed to be patentable at least for similar reasons set forth above regarding claim 26.

Claims 18-22 are deemed to be patentable at least for similar reasons set forth above regarding claim 16.

**Conclusion:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

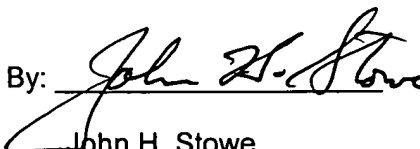
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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